

**CITY OF CENTRAL
CITY COUNCIL MEETING
April 2, 2013**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:00 p.m., in City Hall on April 2, 2013.

ROLL CALL

Present: Mayor *pro tem* Spain
Alderman Voorhies
Alderman Gaines
Alderman Heider

Absent: Mayor Engels

Staff Present: Manager Lanning
City Clerk Bechtel
Attorney McAskin
Finance Director Flowers
Operations Director Kisselman
Utilities Superintendent Griffith
Police Chief Krelle

The Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

The agenda was approved as presented.

CONFLICTS OF INTEREST

No Council Member disclosed a conflict regarding any item on the agenda.

CONSENT AGENDA

Alderman Voorhies moved to approve the consent agenda containing the regular bill lists for March 21, and 28, 2013 and the City Council minutes of March 19, 2013. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

SECOND READING AND PUBLIC HEARING

Ordinance No. 13-04: *An ordinance of the City Council of the City of Central, Colorado adopting a noxious weed management plan, regulating the growth of weeds and repealing and replacing Article IV of Chapter 7 of the Municipal Code.*

Attorney McAskin explained this ordinance which adopts a noxious weed management plan and regulates the growth of other weeds to a maximum height of twelve (12) inches. Previously,

noxious weed management within the City was addressed through an intergovernmental agreement with Clear Creek County. That IGA is scheduled to terminate on June 30, 2013.

The City is required by State law (C.R.S. § 35-5.5-101, et seq., the “Colorado Noxious Weed Act” or “Act”) to adopt a noxious weed management plan for all property within the City. The Act also requires the City to appoint a local advisory board to prepare a noxious weed management plan to govern the management, control, elimination, and disposal of noxious weeds within the City. The Adoption of the proposed ordinance will satisfy the requirement under the Act to adopt a noxious weed management plan.

The fiscal impact of the proposed Ordinance will be dependent on the number of violations and the City Staff’s involvement in enforcement (or the City’s agents or others delegated authority to enforce the noxious weed management regulations).

Costs related to mitigation of noxious weeds, as set forth in the proposed Ordinance, are ultimately the responsibility of the landowner violating the regulations. If not paid when due, the proposed ordinance authorizes the City to record a statement of lien with the Gilpin County Clerk and Recorder. Obviously, if mitigation costs are not paid by a landowner that has violated the Ordinance, the City will incur certain carrying costs (until such date as the lien is satisfied). As set forth above, noxious weed management within the City has previously been addressed through an intergovernmental agreement with Clear Creek County. The Clear Creek County IGA is scheduled to terminate on June 30, 2013. Instead of renewing the IGA, selected members of City Staff (Public Works Department) will be licensed to apply pesticides and authorized to undertake other weed mitigation techniques following successfully completing the State’s commercial pesticide applicator exam. Staff believes that this approach will allow Staff to be more responsive to weed management issues in the community. Instead of County representatives (or CDOT representatives) doing mitigation work on the Parkway, the weed management activities within the community will be managed and overseen by City Staff.

Mayor *pro tem* Spain opened the public hearing at 7:04 p.m. and invited comment. Hearing none, he closed the public hearing at 7:04 p.m.

Alderman Gaines moved to approve Ordinance 13-04: An ordinance of the City Council of the City of Central, Colorado adopting a noxious weed management plan, regulating the growth of weeds and repealing and replacing Article IV of Chapter 7 of the Municipal Code on second reading. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Ordinance No. 13-05: *An ordinance of the City Council of the City of Central, Colorado amending certain provisions of Chapter 13 of the Municipal Code concerning municipal utilities; specifically regulations pertaining to the city water system.*

Attorney McAskin explained Ordinance No. 13-05 proposes minor revisions to Chapter 13 of the Municipal Code, pertaining to the City’s water system. The City Council adopted Ordinance No. 12-08 on August 7, 2012, which Ordinance repealed and replaced Chapter 13 of the Municipal Code. The minor revisions set forth in Ordinance 13-05 are being proposed by the Public Works Department in order to conform the regulations to current City practices and policies.

The minor revisions to Chapter 13 addressed in Ordinance 13-05 include adding a definition of *corporation stop* or *saddle/corporation stop* to Chapter 13; and amending Section 13-111 to clarify that that customers are responsible for the ownership and maintenance of service lines from the

corporation stop to the licensed premises (to be consistent with the definition of service line set forth in Chapter 13).

Mayor *pro tem* Spain opened the public hearing at 7:06 p.m. and invited comment. Hearing none, he closed the public hearing at 7:06 p.m.

Alderman Hieder asked the difference between a saddle/corporation stop and a curb box. Utilities Superintendent Griffith explained that the corporation stop is a valve located at the main and only used for excavation and in an emergency by City crew. The curb box is located on the property and may be attached to the meter if the property has a meter pit. The property owner is required to keep the curb box free and clear of debris and accessible to maintenance.

Mayor *pro tem* Spain re-opened the public hearing at 7:10 p.m. Barb Lissman, 202 W 6th High asked how a homeowner knows where their curb box is located. Utilities Superintendent Griffith explained that it is close to the street though it varies with each property and recommended for homeowners to call the City to make an appointment with staff to be shown their location. Hearing no further comment, Mayor *pro tem* Spain closed the public hearing at 7:14 p.m.

Alderman Gaines moved to approve Ordinance No. 13-05: An ordinance of the City Council of the City of Central, Colorado amending certain provisions of Chapter 13 of the Municipal Code concerning municipal utilities; specifically regulations pertaining to the city water system on second reading. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

NEW BUSINESS

There was no new business to discuss.

STAFF REPORTS

Manager Lanning reported the following:

HP grant applications – 35 applications received

Development – meeting on the 10th with potential developer

Pond Project – will be complete at the end of the week. Staff has self performed this project that was listed in our Capital Improvement Plan which was adopted with the budget and has saved the City a large sum of money. This will create a better habitat for the fish. Public Works is using the Boodle Mill site as temporary storage for the silt. No permits were required for this small scale project.

COUNCIL COMMENTS

Alderman Voorhies asked when Council would have a work session to discuss water. Manager Lanning suggested either April 16 or in May depending on other subjects. She also asked about the bus shelter on Spring Street and Manager Lanning stated that the shelter was not in good condition and we will figure something to replace it with before school resumes in August.

Alderman Heider stated that it will be good to have a work session with notice to the public for a comprehensive overview on history of the plant and our current water issues.

Alderman Gaines stated she attended a meeting with the Commissioners and Sheriff Hartman discussing the proposed gun legislation. She also noted that the Central City Opera will not have dress rehearsals open to the public this year.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

Hearing no further business, Mayor *pro tem* Spain adjourned the meeting at 7:30 p.m.
The next Council meeting is scheduled for April 16, 2013 at 7:00 p.m.

Bob Spain, Mayor *pro tem*

Reba Bechtel, City Clerk